

ASSEMBLY BILL

No. 551

Introduced by Assembly Member Cohn

February 18, 2003

An act to amend Section 42001 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 551, as introduced, Cohn. Yielding to emergency vehicles: fine.

Existing law requires, with limited exception, a person convicted of an infraction violation of the Vehicle Code, including a violation of failing to take certain action in response to an approaching authorized emergency vehicle under described condition, to be punished in accordance with a specified fine schedule.

This bill would exempt the above specific violation relating to failure to respond to an approaching authorized emergency vehicle from the infraction fine schedule and instead would require violators of that offense to pay an unspecified fine.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42001 of the Vehicle Code is amended
2 to read:
3 42001. (a) Except as provided in Section 42000.5, 42001.1,
4 42001.2, 42001.3, 42001.5, 42001.7, 42001.8, 42001.9,
5 42001.11, 42001.12, 42001.14, 42001.15, 42001.16, or

subdivision (a) of 42001.17, or Section 42001.18, or subdivision (b) ~~or~~, (c), *or* (d) of this section, or Article 2 (commencing with Section 42030), ~~every~~ a person convicted of an infraction for a violation of this code or of any local ordinance adopted pursuant to this code shall be punished as follows:

(1) By a fine not exceeding one hundred dollars (\$100).

(2) For a second infraction occurring within one year of a prior infraction which resulted in a conviction, a fine not exceeding two hundred dollars (\$200).

(3) For a third or any subsequent infraction occurring within one year of two or more prior infractions which resulted in convictions, a fine not exceeding two hundred fifty dollars (\$250).

(b) Every person convicted of a misdemeanor violation of Section 2800, 2801, or 2803, insofar as they affect failure to stop and submit to inspection of equipment or for an unsafe condition endangering any person, shall be punished as follows:

(1) By a fine not exceeding fifty dollars (\$50) or imprisonment in the county jail not exceeding five days.

(2) For a second conviction within a period of one year, a fine not exceeding one hundred dollars (\$100) or imprisonment in the county jail not exceeding 10 days, or both that fine and imprisonment.

(3) For a third or any subsequent conviction within a period of one year, a fine not exceeding five hundred dollars (\$500) or imprisonment in the county jail not exceeding six months, or both that fine and imprisonment.

(c) A pedestrian convicted of an infraction for a violation of this code or any local ordinance adopted pursuant to this code shall be punished by a fine not exceeding fifty dollars (\$50).

(d) *A person convicted of an infraction for a violation of Section 21806 shall be punished by a fine of _____ dollars (\$_____).*

(e) Notwithstanding any other provision of law, any local public entity that employs peace officers, as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, the California State University, and the University of California may, by ordinance or resolution, establish a schedule of fines applicable to infractions committed by bicyclists within its jurisdiction. Any fine, including all penalty assessments and court costs, established pursuant to this subdivision shall not exceed the maximum fine, including penalty assessment and court costs,

1 otherwise authorized by this code for that violation. If a bicycle
2 fine schedule is adopted, it shall be used by the courts having
3 jurisdiction over the area within which the ordinance or resolution
4 is applicable instead of the fines, including penalty assessments
5 and court costs, otherwise applicable under this code.

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